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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BRUCE A. PHILLIPS et al.

Serial No.: 09/203,086

Filed: December 1, 1998

For: System and Method for Increasing Distribution Distance of XDSL Type Signals

Attorney Docket No.: 1554/1556 (USW0464PUS)

Group Art Unit: 2665

RECEIVED

OCT 20 2003

Examiner: S. Nguyen

OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF A PATENT APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on December 30, 2002, which set a three month period for response. The abandonment date of this application is June 30, 2003 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefor).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**1. Petition fee**

- ☐ Small entity - fee \$\_\_\_\_\_ (37 C.F.R. § 1.17(m))  
☐ Small entity statement enclosed herewith.  
☐ Small entity statement previously filed.  
☒ Other than small entity - fee \$1,330 37 C.F.R. § 1.17(m))

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 13, 2003  
Date of Deposit

Mark D. Chuey  
Name of Person Signing

Signature

10/17/2003 HUUNG1 00000029 09203086 1330.00 0P  
01 FC:1453

Serial No.: 09/203,086  
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2. Proposed response and/or fee

A. The proposed response and/or fee to the above-noted Office Action in the form of a Notice of Appeal and fee of \$330 under 37 C.F.R. § 1.17(b):

\_\_\_\_\_ has been filed previously on \_\_\_\_\_

  X   is enclosed herewith.

B. The issue fee of \$\_\_\_\_\_

\_\_\_\_\_ has been paid previously on \_\_\_\_\_

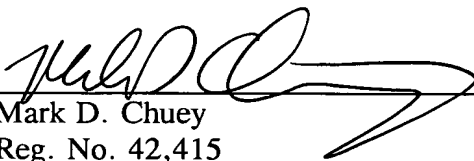
\_\_\_\_\_ is enclosed herewith.

3. Statement

The entire delay in filing the required response until the filing of this petition was unintentional. The undersigned filed an Appeal Brief within the statutory period, but failed to file a Notice of Appeal.

Respectfully submitted,

**BRUCE A. PHILLIPS et al.**

By:   
Mark D. Chuey  
Reg. No. 42,415  
Agent for Applicant

Date: October 13, 2003

**BROOKS KUSHMAN P.C.**

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Enclosures:   X   Response  
  X   Fee Payment  
\_\_\_\_\_ Small Entity Status Form  
\_\_\_\_\_ Terminal Disclaimer  
  X   Other   Notice of Appeal